

CITY COUNCIL, CITY OF LODI
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, AUGUST 7, 1991
7:30 P.M.

ROLL CALL Present: Council Members - Pennino, Pinkerton, Sieglock, Snider, and Hinchman (Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney McNatt, and City Clerk Reimche

INVOCATION The invocation was given by Pastor Vernon Janzen, Vinewood Community Church.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was led by Mayor Hinchman.

PRESENTATIONS

AWARDS PRESENTED TO WINNERS OF 1991 LODI MAYOR'S CUP GOLF TOURNAMENT

Mayor Hinchman presented awards to the winners of the 1991 Lodi Mayor's Cup Golf Tournament.

PROCLAMATION

CC-37 Mayor Hinchman presented a Proclamation acknowledging the American Legion Western Regional Baseball Tournament being held in Lodi August 14 - 18, 1991.

14 YEAR-OLD BABE RUTH BASEBALL TEAM APPLAUDED

Mayor Hinchman and the members of the Lodi City Council applauded members of the Lodi 14 year-old Babe Ruth Baseball Team on their recent victory and presented members of the team with Lodi pins.

CONSENT CALENDAR In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Snider, Hinchman second, approved the following items hereinafter set forth.

The following agenda items were removed from the agenda:

- a) Item #E-15 entitled, "Public Employees Retirement System Contract Agency Coalition"; and
- b) Item #E-16 entitled, "Improvement Agreement for Water Main Relocation, 360 South Cherokee Lane, Lodi, California".

Agenda item #E-19 was removed from the Consent Calendar and discussed and acted upon under the Regular Calendar.

Council Member Snider abstained from discussion and voting on agenda item #E-14 entitled, "Master Storm Drain Agreement Modification: Parkwest and Sunwest IV".

CLAIMS CC-21(a) Claims were approved in the amount of \$4,925,117.39.

MINUTES The City Council approved the following City Council Meeting Minutes:

- a) June 20, 1991 (Adjourned Regular Meeting), as amended;
- b) July 3, 1991 (Regular Meeting);
- c) July 17, 1991 (Regular Meeting); and
- d) July 24, 1991 (Special Meeting).

SALE OF HEWLETT-PACKARD HP1000 COMPUTER SYSTEM APPROVED

CC-20 The City Council authorized advertisement for bids for the
CC-47 sale of one Hewlett-Packard HP1000 computer system.

The Public Works Department purchased the HP1000 mini-computer system approximately 5 years ago for use in computer aided drafting (CAD) and mapping. This system is due for major upgrading due to reduced response times, mainly in working with large City maps. With changes in computer technology, the drafting and mapping work has been moved to more standard and versatile PC-based systems currently in use in the department.

Last fiscal year, Council approved a personal computer with drafting software. Staff evaluated the system and determined it was in the City's best interests to move the drafting and mapping functions to PC's. On March 20, Council approved a special allocation for an additional personal computer with drafting software to allow the

department to proceed with the transfer of files from the HP1000 system. Currently the majority of the files have been transferred to the PC systems. All remaining files will be transferred in the next few weeks.

The Public Works Department would like to sell the obsolete HP1000 system as soon as possible, before it loses any additional resale value.

PLANS AND SPECIFICATIONS
APPROVED FOR STOCKTON STREET
WATERMAIN - LOCKEFORD STREET
TO DONNER WAY APPROVED

CC-12.1(c) The City Council approved the plans and specifications for Stockton Street Watermain - Lockeford Street to Donner Way and authorized advertising for bids.

This project is for the construction of 2000 linear feet of a 10-inch Master Plan Watermain along Stockton Street. This Watermain Project includes updating fire protection and water service in the area and will serve as the point of connection for the new water well #24, located on Stockton Street, north of the Grape Bowl.

Requests for additional funding for this project will be made at time of award and will be based upon actual contract bid prices.

SPECIFICATIONS APPROVED FOR
DUMP TRUCK FOR STREET DIVISION

CC-12.1(b) The City Council approved the specifications for a dump truck for the Street Division and authorized advertising for bids thereon.

Funds to purchase a dump truck for the Street Division were approved in the 1991-92 Operations/Maintenance Budget. This unit will be used on a daily basis by Street Division personnel to perform street and alley maintenance.

SPECIFICATIONS APPROVED FOR
A TRACTOR/LOADER WITH EXTENDABLE
BACKHOE FOR THE STREET DIVISION

CC-12.1(b) The City Council approved the specifications for a tractor/loader with extendable backhoe for the Street Division and authorized advertising for bids thereon.

Funds to purchase a tractor/loader with extendable backhoe for the Street Division were approved in the 1991-92 Operations/Maintenance Budget. This unit will be used on a daily basis by Street Division personnel to perform street, curb, gutter, and sidewalk maintenance.

SPECIFICATIONS APPROVED FOR
A HEWLETT-PACKARD MICROCOMPUTER
SYSTEM WITH PERIPHERALS FOR USE
IN THE COMMUNITY DEVELOPMENT DEPARTMENT

CC-12.1(b) The City Council approved the specifications and authorized advertisement for bids for a Hewlett-Packard microcomputer system with peripherals for use in the Community Development Department.

The system, as specified, consists of five Hewlett-Packard microcomputers and two HP LaserJet III printers, various memory upgrades, adapters, cables, and numeric coprocessors.

Three of the computers will be used by the Planning Division for running AutoCad and for creating demographic and statistical spreadsheets. The other two computers will be used by the Building Division to determine structural calculations, and buildings, plumbing, mechanical, energy and electrical code compliance.

With this purchase, the Department would achieve compatibility and standardization with Public Works in the use of Hewlett-Packard computers. Such standardization will allow both departments to operate within a network environment in the future.

The bid opening will be scheduled for Wednesday, September 4, 1991.

PURCHASE OF MOBILE FILING
SYSTEM FOR POLICE DEPARTMENT

RESOLUTION NO. 91-141

CC-12(d) The City Council adopted Resolution No. 91-141 authorizing
CC-300 the purchase of one mechanical-assist mobile file system manufactured and sold by Tab Products, for the amount of \$11,281.77.

With the growing number of active files, this system will provide for more records to be kept for a longer period of time. The Records area is severely limited in storage and filing space.

This mobile storage and filing system will provide a 115% increase in filing space in a limited office area, as well as providing additional floor space for two employee's desks and computer work stations being moved from another office.

Tab storage files are of high quality and durability, and are used in many City departments, leading to

standardization in the use of folders, dividers, and accessories.

Although several manufacturers produce mobile filing systems, Tab systems are considered a better overall value because of safety features, all-welded construction, a full-length drive system, and the ability to change gear ratios as weight of the carriages increase. Stanislaus County recently installed Tab mobile filing systems in both Superior and Municipal Court offices, citing outstanding quality and durability as features warranting selection of Tab systems over other brands. Lodi Memorial Hospital also utilizes Tab mobile filing systems due to their superior work record.

AWARD OF PURCHASE OF PADMOUNT
TRANSFORMERS

RESOLUTION NO. 91-142

CC-12(d)
CC-300

The City Council adopted Resolution No. 91-142 awarding the purchase of 40 padmount transformers to the bidders whose proposals and equipment met all Electric Utility specifications, and whose transformers yielded the lowest overall lifecycle costs:

Cooper Power, Burlingame, CA:

8 ea. 37.5 KVA Single-phase	\$ 8,275.20
5 ea. 75 KVA Single-phase	6,610.46
TOTAL	\$14,885.66

Westinghouse Electric Supply Co., Concord, CA:

25 ea. 50 KVA Single-phase	\$34,749.38
----------------------------	-------------

Pauwels Transformers, Washington, MO:

2 ea. 225 KVA Three-phase	\$12,136.96
---------------------------	-------------

On June 20, 1991 the City Council approved the specifications and authorized advertisement for bids. Bids were opened on July 23, 1991. A summary of the bids received is on file in the City Clerk's office.

These transformers will be used in the installation of electric distribution systems in subdivisions expected to be under construction in late 1991 and early 1992. Two of the transformers are to replenish padmount inventory.

AWARD OF PURCHASE OF POLEMOUNT
TRANSFORMERS

RESOLUTION NO. 91-143

CC-12(d)
CC-300

The City Council adopted Resolution No. 91-143 awarding the purchase of 25 polemount transformers to the bidders whose proposals and equipment met all Electric Utility specifications, and whose transformers yielded the lowest overall lifecycle costs:

Westinghouse Electric Supply Co., Concord, CA:

5 ea. 37.5 KVA 120/240V CP	\$ 4,256.13
4 ea. 75 KVA 120/240V CP	5,844.36
3 ea. 37.5 KVA 277V Conventional	2,285.38
1 ea. 50 KVA 277V Conventional	913.72
TOTAL	\$13,299.59

Cooper Power Systems, Burlingame, CA:

4 ea. 37.5 KVA 120/240V Conventional	\$ 2,999.76
3 ea. 100 KVA 277V Conventional	4,712.99
TOTAL	\$ 7,712.75

General Electric Supply Co., Martinez, CA:

5 ea. 25 KVA 120/240V CP	\$3,738.93
--------------------------	------------

On June 20, 1991 the City Council approved specifications and authorized advertisement for bids. Bids were opened on July 23, 1991. A summary of the bids received and of the evaluation is on file in the City Clerk's office.

These transformers will be used to support the Electric Utility Department's ongoing PCB transformer replacement program and replenish inventory.

PURCHASE OF 15-KV CONCENTRIC
NEUTRAL CABLE

RESOLUTION NO. 91-144

CC-12(d)
CC-300

The City Council adopted Resolution No. 91-144 awarding the bid for 30,000 feet of #2 Aluminum, 15-kv, concentric neutral, jacketed cable to the low bidder, Delta Pacific Sales of Yuba City, in the amount of \$27,508.58.

On June 20, 1991, the City Council approved specifications and authorized advertisement for bids. Bids were opened on July 23, 1991, with results being on file in the City Clerk's office.

Although Delta Pacific's alternate bid of \$27,153.00 is \$355.58 lower than the bid recommended for the award, it allows less than a 10% escalation in the price of copper before its actual delivery price would exceed Delta Pacific's firm delivered price of \$27,508.58. It is therefore recommended that the award be based on the firm price.

This cable will be used in the installation of electric distribution systems in subdivisions and other developments expected to be under construction in late 1991 and early 1992.

CONTRACT AWARD FOR TYPE II
SLURRY SEAL FOR VARIOUS CITY STREETS

RESOLUTION NO. 91-145

CC-12(a) The City Council adopted Resolution No. 91-145 awarding the
CC-300 contract to apply Type II Slurry Seal for Various City
Streets to Valley Slurry Seal Company of Sacramento,
California.

The specifications for Type II Slurry Seal for Various City Streets were approved by the City Council at its meeting of July 17, 1991 and the following two bids were received:

<u>Name of Bidder</u>	<u>Total SF</u>	<u>Total Bid</u>
Valley Slurry Seal Co. P.O. Box 1620 W. Sacramento, CA	1,040,265	\$39,210.81
California Pavement Maintenance 9390 Elder Creek Rd. Sacramento, CA	1,040,265	\$39,946.22
Graham Contractors P.O. Box 26770 San Jose, CA	1,040,265	No Bid
Mr. Greg Click 1641 E. Tulare Ave. Visalia, CA 93227	1,040,265	No Bid
Graham Contractors 2900 Standiford Avenue Suite 120 Modesto, CA 95350	1,040,265	No Bid

ARCHITECTURAL SERVICE AGREEMENT
FOR THE WELL ENCLOSURE AND
LANDSCAPING AT WELL 11-R APPROVED

CC-90 The City Council authorized the City Manager to sign an architectural service agreement between Wenell Mattheis Bowe, Inc., and the City of Lodi for providing plans and specifications for the well enclosure and landscaping at Well 11-R.

The Public Works Department has chosen the firm of Wenell Mattheis Bowe, Inc., to prepare the plans and specifications for the well enclosure and landscaping at Well 11-R. The fee for preparing these plans and specifications is \$7,605.00.

This project will construct an 8' high block wall around the well and landscape the remainder of the parcel. Xeriscape design principles will be implemented so that the site can be used to showcase drought-resistant landscaping.

MASTER STORM DRAIN AGREEMENT
MODIFICATION APPROVED: PARKWEST
AND SUNWEST IV

CC-46 Council Member Snider abstained from discussion and voting
CC-90 on the following matter because of a possible conflict of
 interest.

The City Council approved modifications to the revised Master Storm Drain Agreements for Parkwest and Sunwest IV and authorized the City Manager and City Clerk to execute the agreements on behalf of the City.

In our work on the Impact Fee Program in particular, the Master Storm Drain Fund, staff realized we have a problem in interpreting the amount of future reimbursements under two existing agreements. These agreements were written for two developments that installed Master Storm Drain facilities as part of their improvements. The agreements provided that the dollar credit for master storm improvements made by the developer be converted to "fee paid" acreage. Since the acreage credit exceeded the acreage developed, the developers would then receive the acreage fee paid by subsequent development. This arrangement was done to include "an amount attributable to interest" as required by Section 66486 of the Subdivision Map Act. The intent of the agreement was that as Master Storm Drain Fees are updated by the Engineering News Record Index (ENR), the reimbursable amount would increase at the same rate. The problem is that since the date of the agreements, the Master Storm Drain Fee Program has undergone a major revision; one could even argue that the fee referred to in the agreement no longer exists;

therefore, the reimbursement is now zero. Staff felt an amendment to the agreement was necessary to eliminate uncertainty on this point.

At the time of the agreement, the Master Storm Drain Fee was a single fee (\$3,670 per gross acre for Parkwest and \$3,860 for Sunwest IV). The revision adopted in 1989 separated residential and non-residential acreage resulting in two fees. If they had been reimbursed then for residential acreage, they would have received only \$3,620/acre. We have recalculated what the old fee would have been based on the ENR Index. This amount is \$4,290 per acre. Thus value of the credit should be \$266,838 for Parkwest and \$154,869 for Sunwest IV.

The new agreements will use the above credits as a base value and will update that amount each January 1 by the ENR Index. The logic of using the ENR Index is that subsequent development should not have to pay more for earlier construction of improvements than what they would cost at their time of development. The ENR construction cost index is the appropriate index for this purpose.

The developers were contacted and provided with a draft agreement. They have verbally agreed to the changes.

In addition to the storm drain changes, the Sunwest IV agreement includes a change related to the last unit (Sunwest 12) of the Sunwest IV project. The Sunwest 12 project included the construction of a temporary sanitary sewer lift station plus the developer was required to pay his fair share of the cost of the permanent lift station to be constructed near Kettleman Lane and Mills Avenue. Payment was to be made prior to the acceptance of Sunwest 12. That amount has been calculated as part of the Impact Fee Program and has been included in this new agreement and will be deducted from the Storm Drain amount due the developer. The City will then transfer the funds (\$2,570) from the Storm Drain Fund to a new fund for the lift station.

ITEMS REMOVED FROM AGENDA

Agenda Item #E-15 entitled, "Public Employees Retirement System Contract Agency Coalition" was removed from the agenda.

Agenda #Item E-16 entitled, "Improvement Agreement for Water Main Relocation, 360 South Cherokee Lane, Lodi, California" was removed from the agenda.

TRAFFIC RESOLUTION AMENDED
BY APPROVING SPEED LIMITS ON
KETTLEMAN LANE BETWEEN HIGHWAY
99 NORTHBOUND RAMPS AND EAST
CITY LIMITS

RESOLUTION NO. 91-146

CC-48(a) The City Council adopted Resolution No. 91-146 amending the
CC-300 traffic resolution by approving speed limits on Kettleman
Lane Between the Highway 99 northbound ramps and the east
City limit.

Public Works staff has recently updated engineering and traffic studies for 7 streets. These studies are performed following State of California Department of Transportation (Caltrans) guidelines in accordance with California Vehicle Code Section 40802. Based on the Vehicle Code Section 40802, in order to use radar enforcement, it is necessary to conduct engineering and traffic studies every five years on "non-local" streets. "Non-local" streets are the collector and arterial streets as shown on the Federal Aid System Maps. The engineering and traffic studies include measurement of prevailing speeds by a radar survey, review of unexpected conditions to the driver and accident data. The speed limits for the 6 streets were previously adopted in August 1986.

There are six streets that have no changes to existing speed limits and do not need City Council approval. The existing speed limits on the majority of these streets were mainly based on the 85th percentile speeds observed in the field.

The street that does need City Council's approval is Kettleman Lane, east of the Highway 99 ramps.

The City has recently annexed additional property, thereby extending the easterly City limits by approximately 1,130 feet on Kettleman Lane. The existing speed limit on Kettleman Lane west of the Highway 99 ramps was established by Caltrans and is posted at 35 mph. From Beckman Road easterly, the existing speed limit is 45 mph as established by San Joaquin County without a formal study for radar enforcement. Staff recommends establishing a 40 mph from Beckman Road to the east City limits. This will provide a smooth transition between existing zones. The 85th percentile of the two radar speed studies support this recommendation.

Staff requested that Council approve the Kettleman Lane speed limit. If Council changes the recommended limits, such changes will not be radar enforceable.

PUBLIC HEARING SET REGARDING
DEVELOPMENT IMPACT FEES

CC-46

The City Council set a Public Hearing for August 21, 1991 regarding the introduction of the Development Impact Fee Ordinance.

The City Council has had two morning meetings regarding Development Impact Fees and has resolved the various issues needed in order for staff to draft the implementing ordinance.

The final draft of the impact fee study is being prepared by the consultant and will be available prior to the 21st. The actual fees will be set by a Resolution to be adopted when the ordinance is adopted. The earliest the fees could go into effect would be 60 days later.

CONSENT CALENDAR ITEM
DISCUSSED AND ACTED UPON
UNDER REGULAR CALENDAR

Agenda item #E-19 entitled, "Approval of Recreation Supervisor for Camp Hutchins" was removed from the Consent Calendar and discussed and acted upon under the Regular Calendar.

ACCEPTANCE OF IMPROVEMENTS IN
SUNWEST 12 BOUNDED BY THE WOODBRIDGE
IRRIGATION DISTRICT CANAL ON THE
EAST, UNDEVELOPED LAND ON THE SOUTH,
FILLEY DRIVE AND CHATEAU COURT ON THE
WEST, AND SUNWEST DRIVE ON THE NORTH

RESOLUTION NO. 91-148

CC-46
CC-90

CC-300

The City Council adopted Resolution No. 91-148 accepting the subdivision improvements included in Sunwest Unit No. 12, as filed on June 20, 1990, in Volume 50, Page 52, Book of Maps and Plats, San Joaquin County Records.

Improvements in Sunwest Unit No. 12 have been completed in substantial conformance with the requirements of the Subdivision Agreement between the City of Lodi and Fred Baker dated May 2, 1990, and as specifically set forth in the plans and specifications approved by the City Council.

The streets to be accepted are as follows:

<u>STREETS</u>	<u>LENGTH IN MILES</u>
Geneva Lane	0.12 mi.
Petersburg Way	0.05 mi.
St. Anton Drive	0.03 mi.
Tyler Way	0.05 mi.
Vienna Drive	0.14 mi.
TOTAL NEW MILES OF CITY STREETS	0.39 mi.

CONTRACT WITH JONES, HALL,
HILL AND WHITE FOR ABRITRAGE
REBATE SERVICES APPROVED

RESOLUTION NO. 91-151

CC-90 The City Council adopted Resolution No. 91-151 authorizing
CC-300 the City Manager to enter into an agreement with Jones,
 Hall, Hill & White to calculate the City's arbitrage
 liability and prepare arbitrage reports.

In 1988 the City issued Certificates of Participation (COP) to finance construction at White Slough. Under the 1986 Tax Reform Act, these COP's are classified as "arbitrage bonds"; and as such, the arbitrage earnings must be reported in the City's annual financial reports and to the Internal Revenue Service in the fifth year after the bonds are issued to settle arbitrage earnings.

Arbitrage earnings are the investment earnings from bond proceeds in excess of the bond yield paid to bond holders. In concept, this calculation appears to be a simple requirement; however, Congress and the Internal Revenue Service continue to change the rules by which arbitrage is calculated and have made several exemptions and exceptions in the original calculation rules. This, combined with the fluctuating yield on investments, has made this a complex calculation which requires specialized expertise, much like preparing an annual tax return.

Because of the possible liability to the City resulting from this calculation, the disclosure of the City's arbitrage liability is a significant disclosure in the City's audited financial reports. The reliability and credibility of the "arbitrage return" is important to both the City's bondholders and to the Internal Revenue Service at the time settlement is made. For this reason, the firm of Jones, Hall, Hill & White is recommended from four firms that submitted proposals. This selection is based on their expertise, reputation as bond counsel and the City's past relationship with this firm as bond counsel for issue of the 1988 COP's.

The cost to the City for Fiscal Year 1991-92 will be \$8,000 and \$500 for Fiscal Year 1992-93.

COMMENTS BY CITY
COUNCIL MEMBERS

The following comments were received under the "Comments by City Council Members" segment of the agenda:

NEW EXECUTIVE DIRECTOR OF
COUNTY COUNCIL OF GOVERNMENTS
(COG) INTRODUCED

CC-7(n) Council Member Pennino introduced Bart Meays who was in the audience. Mr. Meays was recently appointed Executive Director of the County Council of Governments (COG).

QUESTIONS POSED REGARDING
RECENT HAM LANE IMPROVEMENTS

CC-6 Council Member Pennino complimented staff on the recent
CC-16 improvements on Ham Lane. Mr. Pennino expressed his concern that no provisions have been made for southbound traffic to make a U-turn and that there is no left-hand turn lane into the Lodi District Chamber of Commerce Office complex for southbound traffic.

COMMENTS REGARDING RECENT
LETTER RECEIVED FROM BILL DAUER

CC-6 Council Member Snider spoke about a recent letter he had
CC-16 received from Bill Dauer which talked about numbering identification of commercial businesses in Lodi and further suggested that the City Council form an official City Beautification Committee. Mr. Snider suggested that this be discussed at the Special Meeting scheduled for August 28, 1991 in conjunction with consideration of resident manager/property maintenance ordinance formats.

MAYOR REQUESTS REPORT
REGARDING RULES FOR MOKELUMNE
RIVER ACCESS

CC-6 Mayor Hinchman asked the City Attorney "for a report
CC-184 regarding what the rules are for the City inviting access to a place like the Mokelumne River for instance - some guidelines for rules that we need to follow".

REPORT REQUESTED ON CITY'S
METHOD OF TRACKING LOADS OR
SHIPMENTS OF TOXIC MATERIALS
COMING THROUGH LODI

CC-6 Mayor Hinchman requested that staff present the City
CC-24(a) Council with a rundown on how it tracks loads or shipments
of toxic materials coming through Lodi.

ARCHITECTURAL FIRM OF WENELL
MATTHEIS BOWE ARCHITECTURE
PLANNING AND INTERIORS APPLAUDED
ON RECENT AWARD

CC-66 Mayor Hinchman complimented the Architectural firm of
CC-132 Wenell Mattheis Bowe Architecture Planning and Interiors on
being awarded the Pacific Coast Builders Conference Gold
Nuggett Award of Merit for the Senior Complex. Mayor
Hinchman also congratulated the Old Lodi Union High School
Site Foundation for its outstanding efforts towards this
project.

NEW BICYCLE LICENSING
PROGRAM QUESTIONED

CC-66 Council Member Snider commented on a recent news article
CC-138 regarding the Police Department's confiscation of
unlicensed bicycles. Mr. Snider indicated that
non-residents of Lodi riding their bikes through town were
having their bikes confiscated and asked that the matter be
looked into. The City Manager reported that there had been
some miscommunication in the development of the program and
that the program has now been terminated. Mayor Hinchman
indicated that he feels that the City needs to encourage
the licensing of bicycles.

CITIZENS WARNED TO BE CAUTIOUS
ABOUT WATER TESTING EQUIPMENT
SALES PITCHES

CC-6 Council Member Pennino reported on concerns recently
CC-24(b) expressed by a citizen regarding the quality of our City
water and a recent contact this citizen had with a salesman
who had produced a sample he claimed showed dirt in our
City water. Council Member Pennino stressed that the City
has very good water and that it is tested on a regular
basis. Mr. Pennino urged citizens that before they buy any
(water purifying) equipment, they may want to call the City
Public Works Department.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

The following comments were received under the "Comments by
the public on non-agenda items" segment of the agenda:

LODI CHRISTIAN COMMUNITY
CONCERNS OPPOSES AB 101

CC-28 Mr. Ken Owen, Director, Lodi Christian Community Concerns addressed the City Council speaking in opposition to Assembly Bill 101 and asking that the City Council take a position of opposition to the subject bill. The City Clerk was directed to place this matter on the August 21, 1991 agenda for City Council consideration.

CITY COUNCIL RECEIVES PLEA
FOR EQUAL TREATMENT

CC-6 Adili Skillin, San Francisco, and Lonnie Humphreys,
CC-16 Stockton addressed the City Council indicating that as black individuals interacting in Lodi they perceive that they are not treated equally and asked for public awareness of their plight.

CITIZEN VOICES APPRECIATION
ON CITY EFFORTS IN CLEANING
UP HER NEIGHBORHOOD

CC-16 Virginia Lahr, 311 East Elm Street, Lodi addressed the City Council expressing appreciation for all that had been done in cleaning up her neighborhood and urged other citizens of this community with like problems to come forward.

CITIZENS ADDRESSED CITY COUNCIL
REGARDING A NUMBER OF CONCERNS

CC-16 Kathy Van Nostern, 637 Joaquin Street, Lodi addressed the City Council regarding the following matters:

- a) Stolen bicycles in our community and the need for some kind of bicycle registration program;
- b) Sight distance problem at the intersection of Cherokee Lane and Hale Road;
- c) Encouraged a City-wide cleanup effort; and
- d) Perceived unfriendly treatment of blacks in this community.

PUBLIC HEARINGS Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearings to consider -

- a) the Planning Commission's recommended approval of the request of James J. Verseput on behalf of Hi Hopes Venture and Barbara

Ann Craig to prezone the parcels at 5279 East Kettleman Lane (APN 049-070-15) and 15514 and 15602 Beckman Road (APN's 049-070-66 and 67) from GA 20, General Agriculture to M-1, Light Industrial; and

- b) the Planning Commission's recommendation that the City Council certify the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above project.

HI HOPES/JAMES VERSEPUT
PREZONING AG TO LIGHT INDUSTRIAL
15514 & 15602 BECKMAN ROAD,
5279 EAST KETTLEMAN LANE

ORDINANCE NO. 1517 INTRODUCED

CC-53(a)
CC-149

The matter was introduced by Community Development Director James Schroeder who advised the City Council that on June 12, 1991 when the City Council adopted the updated General Plan, the City Council eliminated the Industrial Reserve category and indicated that industrial, commercial and office projects as well as senior citizens housing projects were not subject to the 2% growth limitation. Those decisions opened doors for industrial and commercial properties to seek annexations.

The San Joaquin County Local Agency Formation Commission has a policy of requiring a City Council to prezone an area before the City and/or property owner may request annexation. Mr. Verseput is requesting the prezoneing so that approximately 75 acres of industrial land can be annexed to the City.

The Hi Hopes property, which contains 40 acres and is adjacent to the Central California Traction Company main line, would be the largest vacant industrial parcel in the City.

The following person addressed the City Council posing a number of questions regarding the matter:

- a) Duane Jungeblut, 5827 East Kettleman Lane, Lodi.

There being no other persons wishing to speak on the matter, the public portion of the hearings was closed.

On motion of Council Member Sieglock, Pennino second, the City Council introduced Ordinance No. 1517 prezoneing the parcels at 5279 East Kettleman Lane (APN 049-070-15) and

15514 and 15602 Beckman Road (APN's 049-070-66 and 67) from GA 20, General Agriculture to M-1, Light Industrial.

On motion of Council Member Snider, Sieglock second, the City Council certified the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above project.

PUBLIC HEARING REGARDING
STREET IMPROVEMENT INSTALLATIONS
ON 1900 BLOCK SOUTH CHURCH STREET

CC-45(e) Notice thereof having been published according to law, an affidavit of publication being on file in the City Clerk's Office, the Mayor called for the public hearing regarding street improvement installations on 1900 block South Church Street, Lodi, California.

The City Council was advised that in June 1990, the City Council determined the need for installation of curb, gutter and sidewalk in both the 1700 and 1900 blocks of South Church Street where none now exists. At that time, a public hearing was set to allow the property owners to have input into this decision. That public hearing was held but because the project was delayed, the City did not notify the owners that the installation must proceed. The project is now scheduled to be bid and the City Attorney recommended that we set another public hearing because of the length of time since the project was discussed.

The necessary rights-of-way for the improvements in the 1900 block were dedicated when the parcels were in the County. The owners of the property were notified one year ago of the Council's determination and the choices that they as property owners will have regarding the installation of these improvements. Those choice are that the property owners could:

1. Install the improvements on their own.
2. Agree to reimburse the City for doing the work as part of its project.
3. Wait for the City to install the improvements and formally lien the property.

The estimated construction costs of the improvements range from \$1,300 to \$2,000, depending on the length of the parcel's frontage. The City could add various engineering and administrative costs; however, it was recommended that these be waived if the owners opt for choice 1 or 2 described above.

There being no persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

Following discussion with questions being directed to staff, on motion of Mayor Pro Tempore Pinkerton, Pennino second, the City Council reaffirmed its action taken in June 1990 whereby it determined the need for the installation of curb, gutter and sidewalk at 1905, 1907, 1909 and 1911 South Church Street.

PLANNING COMMISSION

CC-35(a) Community Development Director Schroeder presented the following report of the Planning Commission meeting of July 22, 1991:

The Planning Commission -

- a. Withdrew the request of David Cerutti to amend the City of Lodi Zoning Ordinance to allow full service car washes in C-S (Commercial Shopping) zones. Because the applicant had failed to appear at three scheduled hearings, the Planning Commission determined that the applicant must reapply if he wishes to reinstitute the request.
- b. Conditionally approved the request of Phil Muller for approval of a lot line adjustment to join two lots at 431 and 423 South Sacramento Street in an area zoned M-2, Heavy Industrial.
- c. Set for public hearing August 12, 1991 the request of A. and O. Anagnos, et al and Charles A. Wentland to prezone the parcels at 801 East State Route 12 (APN 027-040-30) and 901 East State Route 12 (APN 027-040-29) from GA-40, General Agriculture to C-S, Commercial Shopping Center.

COMMUNICATIONS (CITY CLERK)

CLAIMS CC-4(c)

On recommendation of the City Attorney and the City's Contract Administrator, Insurance Consulting Associates, Inc., the City Council, on motion of Council Member Pennino, Sieglock second, denied the following claims and referred them back to the City's Contract Administrator:

- a) Lasting Impressions, Date of loss 6/6/91;
and
- b) Sel-Mor Products, Date of loss 4/30/91.

ABC LICENSE
APPLICATIONS

CC-7(f) City Clerk Reimche presented the following application for Alcoholic Beverage License which had been received:

- a) Minh H. Lam, Nhi Luu, and Long Tran and Lien Y. Vuong, New Shanghai, 100 East Pine Street, Lodi, California, On Sale Beer, Person to Person Transfer.

PUBLIC UTILITIES COMMISSION

CC-7(f) City Clerk Reimche presented information received from International Paging Corporation ("IPC") (U-2106-C), 3452 East Foothill Boulevard, Pasadena, California 91107, advising of the filing of an application with the Public Utilities Commission of the State of California for a Certificate of Public Convenience and Necessity pursuant to Section 1001 of the Public Utilities Code to extend its radio-telephone utility system in and to El Dorado, Kern, Orange, Riverside, San Bernardino, San Joaquin, San Mateo, Santa Clara, and Solano Counties.

RESIGNATION FROM LODI
ARTS COMMISSION

CC-2(k) Following receipt of a letter of resignation from Lodi Arts Commissioner Barbara Bennett, the City Council, on motion of Mayor Hinchman, Pennino second, directed the City Clerk to post for the vacancy.

KING VIDEOCABLE NOTIFIES
CITY OF RATE INCREASE EFFECTIVE
SEPTEMBER 1, 1991

CC-22(c) A letter was presented from King Videocable Company advising of a rate increase effective September 1, 1991. The City Council requested that the City Manager at the August 21, 1991 Council meeting present a report regarding the full implication of this increase and information regarding the new channel being provided.

REGULAR CALENDAR

APPROVAL OF RECREATION
SUPERVISOR FOR CAMP HUTCHINS

RESOLUTION NO. 91-147

CC-34 The City Council was advised by City Manager Peterson that
CC-300 when Camp Hutchins was established the City hired a Recreation Supervisor by contract rather than by permanent appointment. Our rationale was that we did know whether

Camp Hutchins was going to be successful and we did not want to be held in a position of laying someone off if the decision was made to eliminate the Camp Hutchins program.

It is now obvious that this program is successful and will be ongoing. It is now appropriate to legitimize this position.

Discussion followed with questions regarding the matter being directed to staff.

On motion of Council Member Snider, Pennino second, the City Council adopted Resolution No. 91-147 authorizing the addition of a Recreation Supervisor to the Parks and Recreation Department's table of organization.

SOUTHERN PACIFIC LOT (SOUTHEAST
 CORNER OF ELM STREET AND
 SACRAMENTO STREET) - PARKING STUDY

RESOLUTION NO. 91-152

CC-45(i) The City Council was advised that at the March 20, 1991
 CC-150 City Council meeting there was some discussion regarding
 CC-300 the use of the City parking lot (SP lot). The concern
 expressed was that the SP lot would get more use if 2-hour
 parking was also permitted.

The SP lot currently contains 36 parking stalls for vehicles displaying Zone B permits. On-street parking on Sacramento Street adjacent to the SP lot is 2-hour or all-day with a Zone B permit. On-street parking on Elm Street adjacent to the SP lot is 2-hour.

To determine parking use, staff has surveyed these locations at various times during the day. The results of these surveys are shown below.

LOCATION	TYPE	# OF PARKING STALLS	VACANT STALLS							AVG	
			JUNE 6 2:30 P	14 2P	18 3:20P	19 7:15A	19 3:35P	20 11:40A	20 1:45P	VACANT STALLS	AVG % VACANT
SP Lot	Permit	36	23	29	28	36	26	24	24	27	75%
Sacramento St.	2-hr/ Permit	12	8	6	3	9	7	5	6	6	52%
Elm St.	2-hr	4	4	3	4	4	4	3	4	4	93%

The results of the surveys indicate that on the average 75% or 27 parking spaces were available in the SP lot. The availability of adjacent on-street parking on Sacramento

Street averaged 52% or 6 parking spaces and 93% or 4 parking spaces on Elm Street. Of the vehicles parked on Sacramento Street, approximately one-half had Zone B permits.

A condition that may be affecting the use of parking is the large number of transients loitering in this area. Staff has observed transients sitting on the curb surrounding the SP lot and lying on the grass between the SP lot and Sacramento Street. Drivers may feel uncomfortable parking in this area. Without signs prohibiting loitering, the police cannot remove these transients.

If Council wishes to pursue the removal of transients from this lot, there are provisions for signing the lot under Section 9.08.100 of the Lodi Municipal Code to prohibit loitering. However, removing transients from this area will probably result in their moving to another area.

The vacancy rate observed in the City's surveys does not indicate a need to modify the parking restrictions in the SP lot to include 2-hour parking. However, at peak times, the Sacramento Street parking may be full.

Addressing the City Council regarding the matter were:

- a) Clayton Saylor, 41 North Sacramento Street, Lodi; and
- b) Marla Donovan, 827 Lloyd Street, Lodi.

A lengthy discussion followed with questions being directed to staff and to those who had addressed the City Council regarding the matter.

On motion of Council Member Sieglock, Hinchman second, the City Council voted to eliminate permit parking on Sacramento Street between Pine Street and Elm Street and allow two-hour parking only in that area (Resolution No. 91-152).

CONTRACT AWARD FOR CHURCH
STREET RECONSTRUCTION, 300 FEET
NORTH OF CENTURY BOULEVARD TO
KETTLEMAN LANE

RESOLUTION NO. 91-149

CC-12(a) The City Council was advised that the Church Street
CC-12(c) Reconstruction, Swain Drive to Kettleman Lane project
CC-300 will include the reconstruction of Church Street between
Swain Drive and Kettleman Lane, install new curb, gutter,
and sidewalks on west side of the unimproved section of
Church Street, and other miscellaneous and related works,

all as shown in the plans and specifications of this project.

Alternates A and B are different structural sections. Alternate A is a street section of asphalt concrete and aggregate base. Alternate B is a full depth asphalt concrete section.

We are asking that an additional \$58,000 be appropriated from the Gas Tax fund to complete this project. Once Church Street is reconstructed, the City will be selling the parcel at 1775 South Church Street. Money from this sale will be returned to the Gas Tax fund.

Plans and specifications for this project were approved on July 17, 1991. The City received the following 3 bids for this project:

Bidder	Location	Base Bid & Alt. B
Engineer's Estimate		\$247,306.00
Claude C. Wood Co.	Lodi	\$207,104.50
Granite Construction	Watsonville	\$230,276.00
Teichert Construction	Stockton	\$237,906.60

On motion of Council Member Sieglock, Pennino second, the City Council adopted Resolution No. 91-149 awarding the contract (Base Bid and Alternate B) for Church Street Reconstruction, Swain Drive to Kettleman Lane to Claude C. Wood Company in the amount of \$207,104.50 and appropriated \$58,000 from the Gas Tax Fund to complete the project.

"NO PARKING" ZONE AT
730 SOUTH CHEROKEE LANE

RESOLUTION NO. 91-150

CC-48(e)
CC-300

The City Council was reminded that at its June 20, 1991 adjourned regular meeting it had voted to install 58 feet of "No Parking" from the crosswalk to the first driveway on Cherokee Lane south of Hale Road following receipt of the following information regarding the matter.

As requested by the City Council at the May 1, 1991 meeting, Public Works staff has performed a sight distance analysis for "No Parking" zones on the east side of Cherokee Lane adjacent to Hale Road.

With continual parking and an accident problem, the analysis would indicate that 145' of "No Parking" south of Hale Road and 40' of "No Parking" north of Hale Road would be needed.

These "No Parking" zones will affect on-street parking at three businesses along Cherokee Lane. North of Hale Road, one of the six existing Cherokee Lane parking spaces in front of the auto sales lot would be eliminated. South of Hale Road, all four of the existing parking spaces in front of the auto sales lot and adjacent three-unit office building would be eliminated. Parking space for three cars will remain on the Hale Road frontage of the auto sales parcel.

The three-unit office building is the only one of the affected parcels with on-site parking. One on-site parking space exists on this parcel. One of the three offices at this building is vacant.

Available accident records from 1987 to the present indicate that one of the 22 reported accidents at this intersection may have been related to a sight obstruction, although no mention was made in the accident report. This 1988 accident involved a driver making a left turn exiting from Hale Road that did not see the approaching northbound vehicle. Traffic volumes on Hale Road and Cherokee Lane are 910 and 16,580 vehicles per day, respectively.

Field observations made by staff indicate that on-street parking demand along Hale Road is fairly high apparently due to the apartment complex on the north side of the street. On-street parking demand on Cherokee Lane adjacent to Hale Road appears to be varied. Since Council's recommendations at the May 1 meeting, on-street parking appears to have decreased. To date, the Public Works Department has received one formal complaint regarding vehicles parking at this location.

Due to the lack of on-site parking at the affected businesses and the accident history at the intersection, staff is reluctant to recommend the installation of these "No Parking" zones at this time. However, Council may wish to install a shorter "No Parking" zone. A shorter "No Parking" zone immediately south of the crosswalk would increase driver visibility of pedestrians using the crosswalk and improve driver visibility when exiting from Hale Road. Up to 20' of "No Parking" (one stall) can be installed under the direction of the Public Works Director without City Council approval.

At the July 17, 1991 meeting, City Council received a complaint from a tenant that he wasn't notified of an agenda item presented to City Council involving the property he is occupying. The location was at Cherokee and Hale. The City Council voted to install 58' "No Parking" from the crosswalk to first driveway on Cherokee Lane south of Hale Road.

As a general rule, notices for City Council meetings are sent to the owners of properties involved as they are ultimately affected by the action. Thus, it is the owner's responsibility to notify tenants. The property owner was notified of the council item in question.

Tenants have been notified in the past when Council Communications are sent out late and there is insufficient time for property owners to notify tenants or if a tenant has specifically expressed interest in the item. Adding tenants to the mailing list could significantly increase the number of notices and the staff time involved in the item.

When the item is in response to a complaint, the caller is notified and noted as "concerned citizen" in the "cc" list at the end of the Council Communication. Staff also checks the files for other complaints on the same subject and includes those callers in this notification. Others notified of traffic related Council items are the Police Chief, Street Superintendent and affected State or local agencies.

Unless Council provides other direction, we will continue to follow the current mailing procedure.

The tenant at 730 South Cherokee Lane, Mr. Clint Kelly addressed the City Council stating that he didn't understand why all of his parking was taken away and that it had affected his business in a very negative way.

Also addressing the City Council regarding the matter was Marla Donovan, 827 Lloyd Street, Lodi who asked that the City Council not amend its earlier action.

Discussion followed with questions being directed to staff and to Mr. Kelly. On motion of Council Member Snider, Pinkerton second, the City Council by the following vote adopted Resolution No. 91-150 amending the action it had taken at the July 17, 1991 meeting by reinstating one 18-foot parking stall at 730 South Cherokee Lane. The motion carried by the following vote:

Ayes: Council Members - Pinkerton, Sieglock, and Snider

Noes: Council Members - Pennino and Hinchman (Mayor)

Absent: Council Members - None

USE OF ELECTRIC MOTORS/BOATS
AT LODI LAKE DURING NON-MOTORIZED
CRAFT TIMES APPROVED

CC-27(c)
CC-40

The City Council was advised that at the Parks and Recreation Commission Meeting of May 7, 1991, Master Morgan Bennett addressed the Commission with a request to consider allowing individuals, like himself, access to the Lake with low-powered craft (with electric motors) during nonmotorized craft times. His justification to the Commission was that at all other times (when motorized craft are allowed) people with normally larger horsepower boats in the lake are going at high speeds and it's very dangerous for those in crafts with smaller horsepower motors. It was recommended that low-powered boats/craft, 3 hp and below obey a no-wake policy.

Following discussion, the Parks and Recreation Commission voted to recommend to the Council that it allow the use of electric motors/boats (No-Wake Policy) at Lodi Lake during nonmotorized craft times.

Master Morgan Bennett addressed the City Council regarding the matter and responded to questions regarding the matter as were posed by the City Council.

On motion of Council Member Snider, Hinchman second, the City Council approved access to Lodi Lake for electric motor powered craft of 3 hp or less during normal nonmotorized craft times and created a no-wake policy for those craft during this time and use.

RECESS

Mayor Hinchman declared a five-minute recess and the meeting was reconvened at 10:00 p.m.

CITY NEWSLETTER PUBLICATION

CC-6

The City Council was reminded that it had directed the City Manager's office to prepare a newsletter for distribution to the citizens of Lodi. Based on this directive, staff solicited price quotes from three print shops and from the Lodi News-Sentinel for a monthly publication. Originally 12 publications were to be printed each year, however, the price of a monthly newsletter was too costly to execute considering the current budget. Staff now proposes that a bi-monthly newsletter be published and distributed the first year, after which time an evaluation should be conducted to determine the effectiveness of the publication.

The decision now facing the Council focuses on the newsletter style and the cost of the publication. Cost estimates from print shops range from \$19,200 to \$25,746 for six publications. Postage for distribution to 25,000 citizens is approximately \$15,750 for six issues. The

total cost of a stand alone newsletter printed by a print shop and distributed by the Post Office is approximately \$35,000. This type of newsletter would be printed on recycled paper and would include sharp image photographs and multiple ink colors.

Should the Council decide to opt for a newsletter printed and distributed by the Lodi News-Sentinel, the costs would be significantly reduced. A bi-monthly publication would total approximately \$15,517. The newsletter would be a pull-out (tabloid style), would be printed as if it were a newspaper, and would be inserted in the regular newspaper. Those persons not subscribing to the newspaper would receive a copy via the distribution of The Merchandiser, an advertising publication delivered free to those non-subscribers. The newspaper's proposal would also include 1,000 additional copies for placement in City Hall, the Library, the Chamber of Commerce, and other locations to be determined.

The original newsletter proposal was based on the print shop approach with the idea that sharp image photographs and a high profile publication would be an effective and representative means of publishing news-worthy City information. The trade-off of publishing the newsletter in the Lodi News-Sentinel is the reduced cost to the City.

Following discussion with questions being directed to staff, the City Council on motion of Council Member Snider, Hinchman second, voted to approve the printing and distribution of the City Newsletter by the Lodi News-Sentinel. The annual cost of the bi-monthly publication would total approximately \$15,157.

The motion carried by the following vote:

Ayes: Council Members - Pinkerton, Sieglock, Snider and Hinchman (Mayor)

Noes: Council Members - Pennino

Absent: Council Members - None

VOTING DELEGATE AND ALTERNATE
DESIGNATED TO LEAGUE OF
CALIFORNIA CITIES ANNUAL
CONFERENCE

CC-7(n)

On motion of Council Member Snider, Sieglock second, the City Council designated Mayor Hinchman as the Voting Delegate and Mayor Pro Tempore Pinkerton as the Voting Alternate at the League of California Cities Annual Conference which is being held in San Francisco, October 13 - 16, 1991.

LODI PUBLIC IMPROVEMENT
CORPORATION MEETS

CC-190 At approximately 10:10 p.m., Mayor David M. Hinchman adjourned the City Council meeting to a meeting of the Lodi Public Improvement Corporation.

The City Council meeting reconvened at approximately 10:12 p.m.

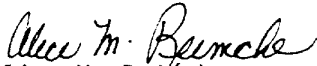
LODI INDUSTRIAL DEVELOPMENT
AUTHORITY MEETS

CC-60 At approximately 10:12 p.m., Mayor David M. Hinchman adjourned the City Council meeting to a meeting of the Lodi Industrial Development Authority.

The City Council reconvened at approximately 10:13 p.m.

ADJOURNMENT There being no further business to come before the City Council, Mayor Hinchman adjourned the meeting at approximately 10:14 p.m.

Attest:


Alice M. Reimche
City Clerk